

Appln No. 10/723,817
Appeal No. 2007-0522
Amdt date May 14, 2007
Reply to Office action of March 14, 2007

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Currently Amended) A lightweight fence and gate for swimming pools surrounded by a deck comprising a plurality of poles, the poles including an insert that is contained within each pole and a pin that is fixedly attached to each insert, the pin protruding from the bottom of each pole;

a mesh screen tensioned between the poles having top and bottom bindings;

a gate in the fence including a frame having a pair of spaced upright support members, a first horizontal brace for spacing the upright support members and a length of mesh screen tensioned between the upright support members;

support means capable of withstanding lateral tension forces of the screen for supporting and latching the gate, the support means comprising at least a first pole on one side of the gate and a second pole on another side of the gate;

hinges secured to the support means on one side of the gate; and

a latch device secured to the gate and to the support means on the opposite side of the gate;

wherein the pins are adapted to be inserted into the pool deck adjacent to the pool; and

wherein the pool deck has a plurality of sockets, each socket adapted to receive one pin.

2. (Original) A lightweight fence and gate as claimed in claim 1 wherein the insert is made of plastic.

3. (Original) A lightweight fence and gate as claimed in claim 1 wherein the pin is made of metal.

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4. (Currently Amended) A lightweight fence and gate as claimed in claim 1 wherein the support means includes on each side of the gate a pair of gate poles inserted into the pool deck with cross members attached to both of the pair of gate poles.

5. (Original) A lightweight fence and gate as claimed in claim 4 wherein the gate includes a generally U-shaped frame opening upwardly with the first horizontal brace secured to the lower ends of the upright support members and a second horizontal brace secured to the upright support members on the pool side of the mesh screen at a height well below the top of the gate fabric.

6. (Previously Presented) The fence and gate according to claim 1 wherein the insert is polyvinylchloride.

7. (Previously Presented) The fence and gate according to claim 1 wherein the pin is stainless steel.

8. (Previously Presented) The fence and gate according to claim 1 wherein the support means includes on each side of the gate a pair of poles having a plastic insert contained within each pole and a metal pin that is attached to each insert, the pin protruding from the bottom of each pole, wherein the pins are inserted into the pool deck and wherein cross members are attached to both poles.

9. (Original) The fence according to claim 8 wherein the pin is attached to the plastic insert by an adhesive.

10. (Currently Amended) A lightweight fence and gate for swimming pools surrounded by a deck comprising a plurality of poles, the poles including an insert that is contained within each pole and a pin that is attached to each insert, the pin protruding from the bottom of each pole;

a first length of mesh screen tensioned between the poles defining the pool fence;

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a gate in the fence including a frame having a pair of spaced upright support members and a second length of mesh screen tensioned between the upright support members of the gate; and

support means to which the first length of mesh screen is attached for supporting the fence and gate and latching the gate including a truss structure capable of isolating the lateral tension forces of the first length of mesh screen on opposite sides of the gate, the support means comprising at least one pole each on opposite sides of the gate;

wherein the pins are adapted to be inserted into the deck adjacent to the pool; and

wherein the pool deck has a plurality of sockets, each socket adapted to receive a pin.

11. (Original) A lightweight fence and gate as claimed in claim 10 wherein the inserts of the poles are made of plastic.

12. (Original) A lightweight fence and gate as claimed in claim 10 wherein the pins are made of metal.

13. (Previously Presented) The fence and gate according to claim 10 wherein the pins are attached to the inserts by an adhesive.

14. (Currently Amended) A method for installing a self closing gate in a tensioned removable swimming pool fence comprising a plurality of poles, the poles including an insert that is contained within each pole and a pin that is attached to each insert, the pin protruding from the bottom of each pole interconnected by flexible mesh fencing comprising:

inserting the pins protruding from the plurality of poles into a deck surrounding a swimming pool with the flexible mesh fencing in tension to maintain the fence in tension, the deck having drilled sockets adapted to receive the pins;

the first and last poles of the series of poles defining a gate opening;

the first and last poles each constituting a pair of gate poles interconnected to each other to define a support structure capable of absorbing the tension of the flexible mesh fencing;

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fabricating a gate including a pair of side rails, a cross rail and flexible mesh tensioned between the side rails;

hinging the first of the pair of side rails of the gate to the first of the pair of gate poles; and installing a latch between the second of the pair of side rails of the gate and the last pole of the tensioned fence;

whereby the gate is free to open and close without interference by the tension of the mesh of the fencing.

15. (Original) The method in accordance with claim 14 wherein the insert is made of plastic.

16. (Original) The method in accordance with claim 14 wherein the pin is made of metal.

17. (Original) The method in accordance with claim 14 wherein the pin is attached to the insert with an adhesive.

18. (Currently Amended) A gate pole comprising:
a lower end;
an insert that is received within the lower end of the [[fence]] gate pole; and
a pin that is fixedly attached to the insert, the pin having a diameter smaller than that [[on]] of the pole and a cylindrical portion that protrudes from the lower end of the gate [[fence]] pole, the cylindrical portion extending substantially to a lower end of the pin;
wherein the pin is adapted to be inserted into a drilled socket in a pool deck.

19. (Previously Presented) The gate pole according to claim 18 wherein the insert is made of plastic.

20. (Previously Presented) The gate pole according to claim 18 wherein the pin is made of metal.

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21. - 23. (Cancelled)

24. (Previously Presented) The fence and gate according to claim 1, wherein the pin is fixedly attached to the insert by an adhesive.

25. (Previously Presented) The gate pole according to claim 18, wherein the pin is fixedly attached to the insert by an adhesive.